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ATLANTA, GEORGIA 30309-3915  
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DATE May 17, 2004  
NAME  
COMPANY U.S. Patent & Trademark Office  
FAX NUMBER 703 872-9306

FROM Jacqueline M. Hutter  
REFERENCE NO. 03269.0029U2  
OUR FAX NUMBER 678-420-9301  
NUMBER OF PAGES 4

Re: U.S. Application No. 09/032,893  
Filed February 27, 1998

Enclosed herewith are the following:

1. Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences (2 pages)
2. Form PTO-2038 in the amount of \$330 for Notice of Appeal

CONFIDENTIALITY NOTE

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ATTORNEY DOCKET NO. 03269.0029U2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	)	
	)	
Bieser <i>et al.</i>	)	Art Unit: 1771
	)	
Application No. 09/032,893	)	Examiner: Juska, C.
	)	
Filing Date: February 27, 1998	)	Confirmation No. 1428
	)	
For: HOMOGENEOUSLY BRANCHED	)	
ETHYLENE POLYMER CARPET,	)	
CARPET BACKING AND METHOD	)	
FOR MAKING SAME	)	

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

VIA FACSIMILE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.  
Customer Number 23859

06/03/2004 HTECKLU1 00000062 09032893  
01 FC:1401

May 17, 2004

Dear Sir: 330.00 00

Applicant or hereby appeals under 37 C.F.R. §1.191 to the Board of Patent Appeals and Interferences from the decision of the Examiner dated February 17, 2004 finally rejecting claims 1, 3-6, 9-12, and 15-17.

The item(s) checked below are appropriate:

1. ☐ An extension of time to respond to the final rejection:
  - (a) ☐ was obtained for \_\_\_\_ month(s).
  - (b) ☐ is requested herewith under 37 C.F.R. § 1.136.
2. Payment in the amount of \$330.00 for the following fees is to be charged to a credit card and such payment is authorized by the signed, enclosed document entitled Credit Card Payment Form PTO-2038 to cover the following fees:
 

☒ Appeal fee amount pursuant to 37 C.F.R. §1.191 and 37 C.F.R. §1.17(b) = \$330.00/LE or \$165.00/SE.

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NO. 4829 P. 3/4

ATTORNEY DOCKET NO. 03269.0029U2  
APPLICATION NO. 09/032,893

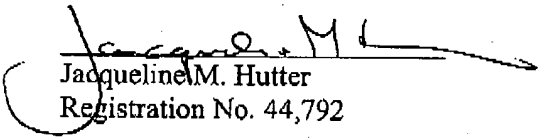
☐ Extension of time fee amount = \$ \_\_\_\_\_ - \_\_\_\_\_ month extension of time fee minus the \$ \_\_\_\_\_ two-month extension of time fee submitted on \_\_\_\_\_.

(a) ☐ enclosed.

This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

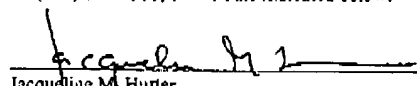
NEEDLE & ROSENBERG, P.C.

  
Jacqueline M. Hutter  
Registration No. 44,792

NEEDLE & ROSENBERG, P.C.  
Customer Number 23859  
(678) 420-9300  
(678) 420-9301 (fax)

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence, including any items indicated as attached or included, is being transmitted via facsimile transmission to: (703) 872-9306, on the date indicated below.

  
Jacqueline M. Hutter

May 17, 2004  
Date